



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

AUG 18 2005

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas O. Shepker, Manager
WCI Steel, Inc.
1040 Pine Avenue, SE
Warren, Ohio 44483

Re: Finding of Violation
WCI Steel, Inc. - Warren

Dear Mr. Shepker:

The United States Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to WCI Steel, Inc. (you) under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). We find that you have violated the Ohio Title V permit program and Subtitle I, Part C of the Clean Air Act at your Warren, Ohio facility.

Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action.

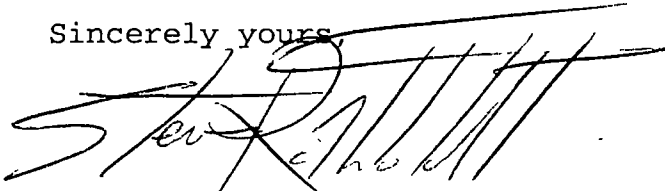
We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Brian Dickens. You may call him at (312) 886-6073 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter.

We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Stephen Rothblatt", with a large, sweeping flourish extending from the end of the name.

Stephen Rothblatt, Director
Air and Radiation Division

cc: Dennis Bush, Environmental Manager
Northeast District Office

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
Lazarus Government Center

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
WCI Steel, Inc.)	FINDING OF VIOLATION
1040 Pine Avenue, SE)	
Warren, Ohio 44483)	EPA-5-05-OH-17
)	
)	
Proceedings Pursuant to)	
Section 113(a)(3) of the)	
Clean Air Act, 42 U.S.C.)	
§§ 7413(a)(3))	

FINDING OF VIOLATION

The United States Environmental Protection Agency (U.S. EPA) is issuing this Finding of Violation under Section 113(a)(3) of the Clean Air Act (the Act), 42 U.S.C. § 7413(a)(3). U.S. EPA finds that WCI Steel Inc. (WCI) violated the Ohio Title V operating permit program and Subtitle I, Part C of the Act, as follows:

Statutory and Regulatory Background

1. Title V of the Act, enacted on November 15, 1990, required U.S. EPA to promulgate regulations that require and specify the minimum elements of state operating permit programs. U.S. EPA promulgated those regulations on July 21, 1992. 57 Fed. Reg. 32250. The regulations at 40 C.F.R. Part 70, require states to implement a major source ("Title V") operating permit program.
2. The State of Ohio Title V operating permit program found at Ohio Administrative Code 3745-77 was granted approval on August 15, 1995, with an effective date of October 1, 1995. 60 Fed. Reg. 42045.
3. Section 502(a) of the Act, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 70.7(b) provide that, after the effective date of any permit program approved or promulgated under Title V of the Act, no source subject to Title V may

operate except in compliance with a Title V permit.

4. The regulation at 40 C.F.R. § 70.6(b)(1) specifies that all terms and conditions in a permit issued under a Part 70 program, including any provisions designed to limit a source's potential to emit, are enforceable by the Administrator of U.S. EPA under the Act.
5. On June 19, 1978, U.S. EPA promulgated the prevention of significant deterioration (PSD) of air quality standards pursuant to Subtitle I, Part C of the Act. The PSD regulations were revised on August 1, 1980. 45 Fed. Reg. 52676. Subsequent to 1980, the PSD regulations have been repeatedly revised. These regulations are codified at 40 C.F.R. §52.21. 43 Fed. Reg. 26403.
6. The authority to implement the federal PSD regulations was delegated to the State of Ohio in a letter from U.S. EPA dated May 1, 1980 and thereby incorporated into the Ohio SIP. 40 C.F.R. §52.1884 and 46 Fed. Reg. 9580 (January 29, 1981).

WCI Facility

7. WCI owns and operates an integrated iron and steel manufacturing facility at 1040 Pine Avenue SE in Warren, Ohio.
8. WCI became the owner and operator of the Warren, Ohio facility on September 1, 1988.
9. Emissions from WCI's Blast Furnace are subject to the Ohio Title V permit program at OAC 3745-77.
10. WCI was issued a Title V permit as facility 02-78-00-0463 from the State of Ohio on February 5, 2003. For the purposes of the Title V permit, the Blast Furnace was assigned emission unit P901.
11. Section A(I)(1) of Title V Operating Permit No. 02-78-00-0463 relating to casthouse #1 states, "The emissions from the iron and slag notches to skimmer area and the spouts in casthouse #1 shall be hooded and exhausted to the baghouse for casthouse #1."

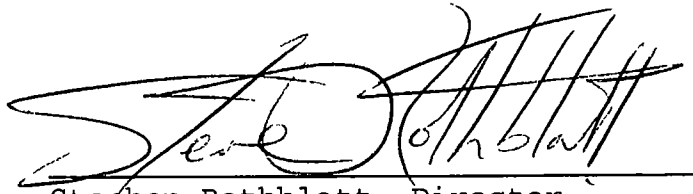
12. Section A(I)(1) of Title V Operating Permit No. 02-78-00-0463 relating to casthouse #2 states, "The emissions from the iron and slag notches, spouts and runners in casthouse #2 shall be hooded and exhausted to the baghouse for casthouse #2."
13. Republic Steel Corporation, previous owner of the Warren, Ohio facility, was issued PSD permit EPA-5-79-A-8 by U.S. EPA Region 5 on April 2, 1979 to construct, in part, casthouse #2.
14. Finding 10 of PSD permit EPA-5-79-A-8 states, "The emissions from the iron and slag notch(es), spout(s), and runners are to be hooded and exhausted to the control device in the new cast house while only the emissions from the iron and slag notch(es) to skimmer area and the spouts are to be hooded and exhausted to the control device on the existing cast house."
15. A U.S. EPA representative visited WCI's casthouse #1 on March 23, 2005. The U.S. EPA representative observed that a portion of the iron and slag notch to skimmer area was not hooded and exhausting to the baghouse for casthouse #1. U.S. EPA also noted that the slag spout in casthouse #1 was not hooded and exhausting to the baghouse for casthouse #1.
16. A U.S. EPA representative visited WCI's casthouse #2 on March 23, 2005. The U.S. EPA representative observed that the slag runner and the slag spout were not hooded and exhausting to the baghouse for casthouse #2.
17. WCI stated in a response to a Clean Air Act Information Request submitted to U.S. EPA on June 8, 2005, that the casthouse emission control U.S. EPA observed on March 23, 2005 represents the facility's method of emission control since 1979.

Violations

18. WCI violated PSD permit EPA-5-79-A-8 since September 1, 1988 and Section A(I)(1) of Title V Operating Permit No. 02-78-00-0463 since February 5, 2003 by failing to control emissions from a section of the notch to skimmer area, and the slag spout in casthouse #1.
19. WCI violated PSD permit EPA-5-79-A-8 since September 1,

1988 and Section A(I)(1) of Title V Operating Permit No. 02-78-00-0463 since February 5, 2003 by failing to control emissions from the slag runner and the slag spout in casthouse #2.

8/18/2005
Date


Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-05-OH-17, by Certified Mail, Return Receipt Requested, to:

Thomas O. Shepker, Manager
WCI Steel, Inc.
1040 Pine Avenue, SE
Warren, Ohio 44483

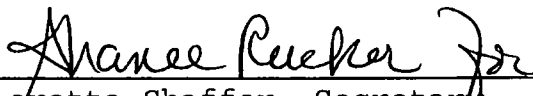
I also certify that I sent copies of the Finding of Violation by first class mail to:

Dennis Bush, Environmental Manager
Northeast District Office
Ohio Environmental Protection Agency
2110 E. Aurora Road
Twinsburg, Ohio 44087

and

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216-1049

on the 19th day of August, 2005.


Loretta Shaffer, Secretary
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 70010320000614478751